

NH DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE DIRECTIVE		CHAPTER <u>Enforcement Operations</u> STATEMENT NUMBER <u>5.45</u>
SUBJECT: GUIDANCE FOR PRISONER SUPERVISION FOR DEPARTMENTAL & NON-DEPARTMENTAL PERSONNEL PROPONENT: <u>John Sanfilippo, Warden</u> <i>Name/Title</i> <u>Commissioner's Office 271-8016</u> <i>Office Phone #</i>		EFFECTIVE DATE <u>05/15/05</u> REVIEW DATE <u>11/01/06</u> SUPERSEDES PPD# <u>5.45</u> DATED <u>11/01/03</u>
ISSUING OFFICER: <hr/> <i>Stephen J. Curry, Commissioner</i>		DIRECTOR'S INITIALS _____ DATE _____ APPENDIX ATTACHED: YES _____ NO _____
REFERENCE NO: See reference section on last page of PPD.		

- I. **PURPOSE:**
To establish procedures for the supervision of inmates by departmental and non-departmental personnel. To set policy to determine C-2 work assignments.
- II. **APPLICABILITY:**
To all departmental and non-departmental personnel supervising inmates.
- III. **POLICY:**
It is the policy of Department of Corrections that departmental and non-departmental staff does supervise inmates at work sites on and off the grounds of any Department of Corrections facility. This policy will establish the procedures for such supervision.
- IV. **PROCEDURE:**
 - A. **Eligibility**
Agencies of State and Local Government and any appropriate non-profit organizations may apply for inmate work crews. These crews are designed to augment, not replace, regular employees.
 - B. **Application**
Application is made in writing on agency letterhead, to the Administrator of Community Corrections or appropriate facility Warden. The request must be signed by a department supervisor and include, at a minimum, job description, location, duration, size of crew requested, names of supervisors and point of contact.
 - C. **Acceptance**
Once a request is approved the Administrator of Community Corrections or appropriate facility Warden will notify the agency's point of contact. Prior to any crews working, agency supervisors must be oriented according to the "Guidance for Prisoner Supervision for Departmental and Non-Departmental Personnel" (attachment 1). This orientation must be repeated for any newly assigned supervisors. The orientation is valid for a period of six months. Additionally, agencies that do not utilize the work crew for a period of thirty (30) days must be re-oriented. Departmental and non-departmental personnel utilizing inmate

- workers will be required to read and follow the attached guidelines. A signed copy of the guidelines will be retained at the Corrections facility. It is important that departmental and non-departmental personnel be provided with the guidelines and procedures used in the supervision of inmates. In addition, Individual Job Supervisor and Work Location Information form (Attachment 2) and the Indemnity Agreement (Attachment 3) must be completed, signed and returned to the sending facility by the agency employing inmate(s). The DOC sending facility will retain these completed forms.
- D. All departmental and non-departmental personnel supervising inmates at all work sites off DOC grounds will receive orientation regarding these procedures every six (6) months.
 - E. Methodology of Review Process for Off-Grounds C-2 Inmate Workers
 - 1. All inmates transferred to minimum-security facilities will be placed in Group 1 work status for a minimum of 15 or a maximum of 30 days. This will afford the Management Team the opportunity to review the inmate's file prior to assigning said inmates to a permanent work assignment. Eligibility for off-grounds work will be dictated by the inmate's file being free of the following areas:
 - a. Sex offense
 - b. Escapes
 - c. Violent crimes (homicide, rape, armed robbery, assault)
 - d. Recent multiple disciplinary report history (a guilty finding of 3 minor or 1 major disciplinary report within 90 days).
 - e. Keep away alerts (inmates with cautionary flags on their file regarding an inability to enter some counties due to crime related/adjudicated restrictions).
 - F. Upon completion of a review by a Management Team member, inmates eligible for off-grounds work crews will be placed in Group 2 work status. Inmates ineligible for off-grounds work crews will be placed in Group 3 work status. Group 3 work status inmates will not be allowed to leave DOC grounds under any circumstances.
 - G. All off-grounds DOC road crews will be inspected a minimum of once a month on a random basis by a Management Team member. Work areas will be walked through. Random pat searches will be conducted during these work-throughs. Staff will meet with work crew supervisors to discuss security issues, keep open channels of communication among personnel and inmate road crew members. A member of the Management Team will ensure that these inspections are being conducted on a regular basis.

REFERENCES:

Standards for the Administration of Correctional Agencies
Second Edition. Standards

Standards for Adult Correctional Institutions
Fourth Edition Standards

Standards for Adult Community Residential Services
Fourth Edition. Standards

Standards for Adult Probation and Parole Field Services
Third Edition. Standards

Other

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Attachments

GUIDANCE FOR PRISONER SUPERVISION FOR DEPARTMENTAL AND NON-DEPARTMENTAL PERSONNEL

The New Hampshire State Department of Corrections provides prison workers both to assist other state and local government agencies in the economical discharge of duties and to provide a meaningful work experience for the assigned prisoner. They are not meant to supplant or replace regular employees, nor are they to be considered a permanent asset.

Agencies desiring to use prison labor must formally request them in writing, on agency letterhead. This request must include, at a minimum, the agency, work location, job description, number requested, duration, work hours, mode of transportation (all inmates must be transported in state owned vehicles) and supervisors name. No inmates will be transported in personally owned vehicles. Depending on scope, more information may be required.

AS A PRISONER SUPERVISOR YOU MUST:

- Treat prisoners assigned to you with the same respect as other workers while maintaining appropriate employer/employee relationship.
- Explain clearly what you want done and how you want it done.
- Check on the prisoner(s) at least hourly ensuring that they are still there and doing what you want.
- Call the Sending Facility at two (2) hour intervals following road crew pickup and report the prisoner's presence.
- Return the prisoner(s) to the Prison at the agreed upon time.
- Notify the Sending Facility in advance of any changes in job location or itinerary.
- Remember there are certain activities a prisoner cannot engage in, and if there are any questions, refer them to the Sending Facility.
- When responding to an emergency medical situation involving a road crew inmates during:
 - a. Minor injury (no ambulance required): The supervisor will treat the inmate on site and call sending DOC facility. Should the officer notified believe that the source of the injury is questionable, that officer may require that inmates be returned to the facility.
 - b. Major injury (ambulance transport required): The supervisor will accompany the inmate to the hospital in the ambulance. The supervisor will designate a staff member who has been through the proper DOC road crew supervision orientation to transport the remaining inmates back to the sending facility immediately. The supervisor will call the sending facility and appraise the facility of the inmate's status. At that time, a correctional officer will be dispatched to the hospital to relieve the road crew supervisor.

PRISONERS MUST NOT:

- Leave the job site without supervision.
- Have any visitors at the work site. This includes break and lunch times.
- Use the telephone or fax machine (if one is present).
- Use any alcohol, alcohol based products or drugs.
- Request you do any special "favors", such as intermediate stops, delivering or picking up any items, to include mail, making purchases or running errands.
- Wear any clothing other than the standard prison issue green uniform. Prisoners are not

allowed to wear any type of civilian clothing at any time.

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- Possess any form of paper currency, credit or debit cards, identification cards, phone cards, calling cards, ATM cards or any for of negotiable instrument.
- Cross state lines.
- Enter private residences or motor vehicles.
- Drive any motor vehicle either on or off public ways. Lawnmowers, tractors, fork lifts, etc. are not included.
- Use recreation equipment during work hours.
- Correspond with or have any social contact with an agency employee after hours, to include visiting, while the prisoner is assigned to your agency.
- Have access to any personnel information, such as employee or client files, computer networks, central data bases or personal records.

IF PRISONERS ESCAPE OR CANNOT BE ACCOUNTED FOR:

- Immediately check the area to see if they are nearby.
- Call the Sending Facility to report them missing.

REPORT:

- Your name and agency location.
- The prisoner's name.
- When and where last seen.
- What clothing was worn.
- What items were left behind, and what civilian clothing, if any, is missing from the area.
- Any special circumstances, such as emotional condition, visitors or attempted visits, messages left, conversations, or anything that may help locate them or determine a destination.
- Return other prisoners to the prison immediately so they can be interviewed.

ON THE JOB:

Agencies utilizing prison labor must be prepared to pick up and return the prisoners to their living quarters at the Prison. When picking up or returning prisoners, you should check in with the staff on duty to inform them who you are, what agency you represent, and that you are there to pick up or return a specific detail of prisoners.

While accomplishing work at the job site, it is desirable for prisoners to work side by side with regular employees. Experience has shown that everyone benefits from this arrangement. However, employees should not discuss personal affairs with the prisoners.

The Prison will provide a bag lunch, when necessary. Prisoners may have a limited amount of coinage with them to utilize vending machines on the job site. They are not allowed to leave the job site for any reason, are under no circumstances allowed to enter stores to make personal purchases.

Do not allow yourself or any of your employees to be talked into doing favors for prisoners, no matter how simple or innocent it may seem. Some prisoners are excellent con artists and will try to get you to do things you know you should not do. A simple "NO" should end the request. If it doesn't, inform the staff at the Prison.

Please report any unusual occurrences, behaviors or conversations. Frequently, these can indicate

future problems, and these are best handled at the Prison rather than the job site.

From time to time, Prison staff will visit the job site to check on the prisoners and see how things are going. These visits will normally be unannounced. You should cooperate with these staff members who will try not to disrupt your operations, and may be able to assist you if needed.

You may not always get the same prisoners every day for the same job. Specific prisoners may not be available for a variety of reasons. Since the prisoners are meant to be supplemental help and not replacement staff, this should not be a problem. Inmates may also be removed from a particular assignment for a variety of reasons. The Prison staff will decide which prisoners go on which jobs. Sometimes prisoners will ask supervisors to request a particular prisoner so that they can work with their buddies. Request for individual prisoners will

normally be refused.

In an effort to make the workplace safer for all inmates, any inmate working with machinery or motorized tools must be trained in its safe operation. Documentation of such training must be furnished to the Department of Corrections. The documentation must be machine or motorized tool inmate specific.

If you have special needs, e.g. you will be working late, need a larger crew, or are experiencing problems, contact the prison staff directly at the Sending Facility. Do not rely on prisoners to transmit information. It will not be considered.

If you have any questions, please contact the Sending Facility staff either by telephone or when you pick up or drop off prisoners. Conversations can be held in private areas away from the prisoners.

SENDING FACILITIES

- Minimum Security Unit, Concord - 271-1922
- Lakes Region Facility, Laconia - 528-9200
- NHSP for Women, Goffstown - 668-6141
- Northern NH Correctional Facility, Berlin - 752-0301
- Shea Farm Facility - 271-2278

I have read the GUIDANCE FOR PRISONER SUPERVISION FOR DEPARTMENTAL AND NON-PRISON PERSONNEL and agree to comply as outlined.

Signature of Supervisor

STATE OF NEW HAMPSHIRE
DEPARTMENT OF CORRECTIONS

INDIVIDUAL JOB SUPERVISOR AND WORK LOCATION INFORMATION SHEET

Agency: _____ Date

Supervisor:

Title:

Job Location:

Phone Number:

Inmate(s) will be supervised by co-workers: _____ yes _____ no

Inmate(s) will have break away from work area: _____ yes _____ no

Give a brief description of inmate work duties (as you understand them):

I understand that the inmates provided to my agency are under the care, custody and control of the New Hampshire Department of Corrections. I have received a copy of the "Guidelines for Prisoner Supervision for Departmental and Non-Departmental Personnel" and agree to abide by the rules and procedures outlined. I understand that violations of these rules may result in the suspension or cancellation of my agency from the program.

Signature

Date

MINIMUM SECURITY UNIT

GUIDANCE FOR INMATES WORKING AT OUTSIDE SITES

Inmates assigned to outside work details must follow the direction of the outside supervisor. It is required that the inmate work in the area specified by the outside supervisor. Violation of any rule may result in your removal from the job or the road crew program

Complete uniforms will be worn unless actively involved in strenuous physical work or a summer uniform is permitted. T-shirts must be worn when green shirt is removed.

The following are not allowed:

Leaving the job site without permission and supervision. What this means is you cannot leave the job site without maintaining supervision.

Communications with civilians are not required as part of your job. This means that you are allowed to communicate only with those charged with supervising your detail.

Requesting, accepting or giving anything of value. This includes food.

Requesting any favors. Do not ask for or accept anything.

Entering any private residence or motor vehicle.

Visits of any kind at the job site. The presence of visitors in the area of the assignment may constitute violation of this rule.

Using or requesting to use any phones including pay phones.

Working on any personal project or use of recreational equipment. You are on the crew to work. Recreational activities on the job site are not allowed.

Use of any equipment such as copy machines or typewriters for personal reasons.

Taking anything to or removing anything from the job site without prior permission of the sending facility. You are not allowed to have anything on your person when you leave the unit except the clothes on your back, your ID, eyeglasses/sunglasses, if necessary, lunch and change.